

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth SEPP)  
Assessment Table

Clause	Assessment	Compliance?
<p><b>19 Development on flood prone and major creeks land - additional heads of consideration</b></p> <p>Development consent must not be granted to development on flood prone and major creeks land unless the consent authority has taken into consideration a number of matters listed by this clause; including adverse effects on flood behaviour and the ability to safely occupy the land.</p>	<p>The site is identified as flood prone and major creeks land. The matters listed by the Growth SEPP have been considered and the development is considered to be acceptable in terms of them.</p> <p>Council staff have assessed the flooding constraints for the site and the stormwater management design for the development. The design is satisfactory and consistent with the objectives of the Austral and Leppington North Precincts Water Cycle Management Report, the Growth DCP and Council's engineering specifications. The development will not result in any unreasonable adverse flooding impacts upon itself, surrounding properties or the environment generally.</p> <p>Additional information regarding flooding is provided in the assessment report.</p>	<p>Yes.</p>
<p><b>Appendix 9, 2.3 Zone objectives and land use table</b></p> <p>The land use table for each zone sets out what development is permitted without consent, permitted with consent and prohibited.</p> <p>The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within a zone.</p> <p>The objectives for the B3 Commercial Core zone are:</p> <ul style="list-style-type: none"> <li>(a) To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.</li> <li>(b) To encourage appropriate employment opportunities in accessible locations.</li> <li>(c) To maximise public transport patronage and encourage walking and cycling.</li> </ul> <p>The objectives for the SP2 Infrastructure zones are:</p> <ul style="list-style-type: none"> <li>(a) To provide for infrastructure and</li> </ul>	<p>The development is permitted with consent in the B3 Commercial Core zone. Permissibility for some secondary elements of the development proposed in the SP2 Infrastructure (Local Drainage) and SP2 Infrastructure (Classified Road) zones is enabled by Appendix 9, Clause 5.3 of the Growth SEPP.</p> <p>The development is consistent with the relevant objectives of the B3 Commercial Core zone in that:</p> <ul style="list-style-type: none"> <li>(a) The development will provide a mix of retail, food and drink, office and business premises that will help serve the needs of the community.</li> <li>(b) The mix of land uses will provide a range of employment opportunities appropriate to the site's context within the developing Leppington Major Centre. The site will be accessible as it is located off Rickard Road which is a future transit boulevard that will provide for direct public transport, pedestrian and cyclist links to Leppington Railway Station and the surrounding centre.</li> <li>(c) The development's location off Rickard Road will inherently encourage public transport patronage given the transit boulevard status of that road and the direct link to Leppington Railway station. The</li> </ul>	<p>Yes.</p>

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth SEPP)  
Assessment Table

Clause	Assessment	Compliance?
<p>related uses.</p> <p>(b) To prevent development that is not compatible with or that may detract from the provision of infrastructure.</p>	<p>development has also been designed to take advantage of and support the pedestrian and cyclist infrastructure that will ultimately be provided along Rickard Road.</p> <p>The development is consistent with the relevant objectives of the SP2 Infrastructure zones in that:</p> <p>(a) The development will provide the necessary infrastructure required to support itself and contribute to the development of the Leppington Major Centre within the SP2 zones.</p> <p>(b) The secondary development elements that are described in the assessment report are compatible with and will not detract from the provision of infrastructure within the SP2 zones.</p>	
<p><b>Appendix 9, 2.6 Subdivision - consent requirements</b></p> <p>Development consent is required to subdivide land (unless the subdivision is exempt or complying development under another environmental planning instrument).</p>	<p>Development consent has been sought for the proposed subdivision as part of the DA.</p>	Yes.
<p><b>Appendix 9, 2.7 Demolition</b></p> <p>Development consent is required to demolish a building or work (unless the demolition is exempt or complying development under another environmental planning instrument).</p>	<p>Development consent has been sought for the demolition of four existing dwelling houses and ancillary structures as part of the DA.</p>	Yes.
<p><b>Appendix 9, 4.3 Height of buildings</b></p> <p>Maximum building heights must not exceed the maximum building height shown on the Height of Buildings Map.</p>	<p>The maximum building height for the site is 24m. The development's maximum building height will be 16.3m.</p>	Yes.
<p><b>Appendix 9, Clause 5.1 Relevant acquisition authority</b></p> <p>This clause identifies the authority of the State that will be the relevant authority to acquire land if the land is required to be acquired under the owner-initiated acquisition provisions.</p>	<p>An 18.8m-18.9m deep area of land along the site's Ingleburn Road frontage is identified for acquisition for infrastructure purposes. The acquisition is to be by:</p> <p>(a) Transport for NSW: 9.8m-9.9m for the future widening of Ingleburn Road to an urban classified road.</p> <p>(b) Council: 9m for local drainage.</p> <p>The development includes the dedication to Council of an 18.8m deep area of land along the site's Ingleburn Road frontage. This area is sufficient to accommodate the</p>	Yes.

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth SEPP)  
Assessment Table

Clause	Assessment	Compliance?
	required road widening and local drainage. As the area identified for acquisition ranges in depth from 18.8m-18.9m, it is pragmatic to accept the dedication of a consistent 18.8m deep area that will facilitate a straight edge along the building's Ingleburn Road frontage.	
<p><b>Appendix 9, 5.3 Development near zone boundaries</b></p> <p>This clause applies to so much of any land that is within the relevant distance of a boundary between any two zones. The relevant distance is as follows:</p> <ul style="list-style-type: none"> <li>(a) 10 metres between Zone RE1 Public Recreation and any other zone.</li> <li>(b) 10 metres between Zone E2 Environmental Conservation and any other zone.</li> <li>(c) 30 metres between any two zones excluding Zone RE1 Public Recreation and Zone E2 Environmental Conservation.</li> <li>(d) despite paragraphs (a)-(c), 50 metres if any part of the land is within the East Leppington Precinct.</li> </ul> <p>This clause does not apply to land proposed to be developed for the purpose of sex services premises or restricted premises.</p> <p>Despite the provisions of this Precinct Plan relating to the purposes for which development may be carried out, consent may be granted to development of land to which this clause applies for any purpose that may be carried out in the adjoining zone, but only if the consent authority is satisfied that:</p> <ul style="list-style-type: none"> <li>(a) The development is not inconsistent with the objectives for development in both zones.</li> <li>(b) The carrying out of the development is desirable due to compatible land use planning, infrastructure capacity and other planning principles relating to the efficient and timely development of land.</li> </ul>	<p>The use of Clause 5.3 to enable permissibility for some secondary elements is detailed in the assessment report.</p>	<p>Yes.</p>

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth SEPP)  
Assessment Table

Clause	Assessment	Compliance?
(c) If any part of the land is in Zone RE1 Public Recreation and within the East Leppington Precinct, the relevant acquisition authority for any land marked "Local open space" on the Land Reservation Acquisition Map consents to the development being on that land.		
<b>Appendix 9, 5.4 Controls relating to miscellaneous permissible uses</b>  This clause provides a number of development standards that certain developments must comply with.	The Growth SEPP limits the maximum gross floor area of kiosks to 30m <sup>2</sup> . Two kiosks are proposed and each will have a gross floor area of 20m <sup>2</sup> .	Yes.
<b>Appendix 9, 5.9 Preservation of trees or vegetation</b>  Development consent is required for tree removal and tree related works.	Development consent has been sought for the removal of 145 trees as part of the DA. The tree removal is considered reasonable (refer to the assessment of Section 2.3.5 Native Vegetation and Ecology of the Growth DCP).	Yes.
<b>Appendix 9, 6.1 Public utility infrastructure</b>  Development consent must not be granted for development on land unless the consent authority is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when it is required.	Clause 6.1 defines essential public utility infrastructure as the supply of water and electricity and the disposal and management of sewage.  The DA was referred to Sydney Water for comment. Sydney Water has advised that potable water and wastewater servicing should be available to the development subject to potential amplifications, adjustments and/or minor infrastructure extensions.  The applicant has provided confirmation from Endeavor Energy that there is capacity available in Endeavour Energy's network to service the development.  Standard conditions are recommended that require essential public utility infrastructure to be provided for the development prior to it becoming operational.	Yes.
<b>Appendix 9, 6.5 Restricted premises</b>  Development consent must not be granted to development for the purposes of restricted premises if the premises will be located on land that abuts, or is separated only by a road from land:  (a) Zoned R2 Low Density Residential, R3 Medium Density Residential or RE1 Public Recreation.  (b) Used for the purposes of a	The DA does not specifically propose any restricted premises however business premises are proposed. Restricted premises are a type of business premises. A condition is recommended to clarify that development consent is granted to the use of the business premises as proposed, but specifically exclude approval for those premises to be used as restricted premises.	Yes.

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth SEPP)  
Assessment Table

Clause	Assessment	Compliance?
<p>community facility, school or place of public worship.</p> <p>In deciding whether to grant consent to development for the purposes of restricted premises, the consent authority must consider:</p> <p>(a) The impact of the proposed development on places of high pedestrian activity.</p> <p>(b) The impact of the proposed development on land frequented by children for care, recreational or cultural purposes.</p> <p>(c) Whether the appearance of the restricted premises is sufficiently discreet.</p>		